

Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記された発明者としてここに下記の限りを許す。

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先をとして内窓は、私の氏名の後に記載された通りである。

My residence, post office address, and citizenship are as stated next to my name.

下記の名前のおかげで、以下の発明が単独で、且つ明示が求められている発明主権に属する。私は、最初、最先端かつ唯一の発明者である（他の氏名が記載されている場合）か、或いは最初、最先端かつ複数の発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

BIOLOGICALLY NON-DEGRADABLE PEPTIDE,
ANGIOTENSIN CONVERTING ENZYME INHIBITOR,
DRUG AND FUNCTIONAL FOOD

BIOLOGICALLY NON-DEGRADABLE PEPTIDE,
ANGIOTENSIN CONVERTING ENZYME INHIBITOR,
DRUG AND FUNCTIONAL FOOD

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない。

07/30/2004 の日に提出され。

この出願の米国出願番号またはPCT国際出願番号は、

PCT/JP2004/010929 であり、且つ

の口に補足された出願（該当する場合）

私は、上記の補足事項によって補足された、明細書等の項を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

私は、米国法典内規37条規則1.56に定義されている、特許性について重要な情報を開示する義務があることを認めます。

the specification of which is attached hereto unless the following box is checked:

was filed on 07/30/2004
as United States Application Number or
PCT International Application Number
PCT/JP2004/010929 and was amended on
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Japanese Language Declaration

(日本語宣言)

私は、ここに、以下に記載した外国での既存出願または既存者の出願、或いは米国以外の少なくとも一箇を指定している米国法第35条第35条(c)によるPCT国際出願について、同第119条(d)の項は第35条(c)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日よりも前の出願日を有する外国での既存出願またはPCT国際出願についても、いかなる出願も、下記の欄内をチェックすることによりました。

I hereby claim foreign priority under Title 35, United States Code Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365 (a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Prior Foreign Application(s)

外国での既存出願

| | | | |
|--------------------|-------------------|-------------------------------------|--------------------------|
| <u>2003-285007</u> | <u>Japan</u> | <u>August 1, 2003</u> | <input type="checkbox"/> |
| (Number) (登録番号) | (Country) (国名) | (Day/Month/Year Filed) (出願日／月／年) | <input type="checkbox"/> |
| <u> </u> | <u> </u> | <u> </u> | <input type="checkbox"/> |
| (Number) (登録番号) | (Country) (国名) | (Day/Month/Year Filed) (出願日／月／年) | <input type="checkbox"/> |

私は、ここに、下記のいかなる米国 provisional 出願についても、その米国法第35条第119条(c)項の利益を主張する。

Priority Not Claimed

優先権を主張なし

I hereby claim the benefit under Title 35, United States Code, Section 119(c) of any United States provisional application(s) listed below.

| <u>(Application No.)</u> | <u>(Filing Date)</u> |
|--------------------------|----------------------|
| <u> </u> | <u> </u> |
| <u>(Application No.)</u> | <u>(Filing Date)</u> |
| <u> </u> | <u> </u> |

私は、ここに、下記のいかなる米国出願についても、その米国法第35条第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その米国法第35条(c)に基づく利益を主張する。また、本出願の各請求事項の範囲の主張が、米国法第35条第112条第1段に規定された範囲で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願との間の期間中に入手された情報で、左お世話料第37条規則第1。さらに主張された範囲に因るる重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| <u>(Application No.)</u> | <u>(Filing Date)</u> | <u>(Status Patented, Pending, Abandoned)</u> |
|--------------------------|----------------------|--|
| <u> </u> | <u> </u> | <u>(届け出：特許許可、係属中、放棄)</u> |
| <u>(Application No.)</u> | <u>(Filing Date)</u> | <u>(Status Patented, Pending, Abandoned)</u> |
| <u> </u> | <u> </u> | <u>(届け出：特許許可、係属中、放棄)</u> |

私は、ここに表明されたひじきの判断にはわる誤述が眞實であり、且つ信頼と信じることに基づく陈述が、眞実であると信じられることを立証し、さらに、故意に虚偽の陈述などを行った場合は、米国法第18条第101条に基づき、罰金または罰責、若しくはその罰力により罰制され、えたそのような故意による虚偽の陈述は、本出願またはそれに対応して付けられるいかなる特許も、その有効性に問題が生ずることを理解した上で虚偽が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Japanese Language Declaration
(日本語宣言)

申任せ： 私は本出願を堅実する方略を行い、且つ米国特許商標庁との全ての業務を執行するために、定められた代理人として、下記の有権士及び／または弁護士を任命する。（氏名及び登録番号を記すこと）

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number).

Practitioners associated with Customer Number 07278:

| | |
|--|--|
| 書類送付先 Address associated with Customer Number 07278 DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 | Send Correspondence to: Address associated with Customer Number 07278 DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 |
| 直通電話番号：(氏名及び電話番号) S. Peter Ludwig, (212) 527-7770 | Direct Telephone Calls to: (name and telephone number) S. Peter Ludwig, (212) 527-7770 |

| | |
|---|---|
| 第一または第一発明者氏名 Naoyuki Yamamoto | Full name of sole or first inventor Naoyuki Yamamoto |
| 発明者の署名 Signature | Inventor's signature <i>Naoyuki Yamamoto</i> |
| 日付 Date | Date September 7, 2006 |
| 住所 Sagamihara-shi, Japan | Residence Sagamihara-shi, Japan |
| 国籍 Japan | Citizenship Japan |
| 郵便の宛先 4-5-7-902, Sagamioono Sagamihara-shi, Kanagawa 228-0803 JAPAN | Post Office Address 4-5-7-902, Sagamioono Sagamihara-shi, Kanagawa 228-0803 JAPAN |

| | |
|--|--|
| 第二共同発明者がいる場合、その氏名 Seiichi Mizuno | Full name of second joint inventor, if any Seiichi Mizuno |
| 第二共同発明者の署名 Signature | Second inventor's signature <i>Seiichi Mizuno</i> |
| 日付 Date | Date September 7, 2006 |
| 住所 Machida-shi, Japan | Residence Machida-shi, Japan |
| 国籍 Japan | Citizenship Japan |
| 郵便の宛先 A-104, 2-3-3, Minaminaruse Machida-shi, Tokyo 194-0045 JAPAN | Post Office Address A-104, 2-3-3, Minaminaruse Machida-shi, Tokyo 194-0045 JAPAN |

(第三以下の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

| | |
|-----------------------------|---|
| Shingo Nishimura (deceased) | Full name of third joint inventor, if any Shingo Nishimura (deceased) |
| 発明者の署名 日付 | Inventor's signature Date By <u>Hideo Nishimura</u> September 7, 2006 |
| 住所 | Residence Yosa-gun, Japan |
| 国籍 | Citizenship Japan |
| 郵便の宛先 | Post Office Address 1393, Aza Ikuji, Yosano-cho, Yosa-gun, Kyoto 629-2311 JAPAN |

| | |
|--|--|
| Takanobu Gotou | Full name of fourth joint inventor, if any Takanobu Gotou |
| 発明者の署名 日付 | Inventor's signature Date <u>Takanobu Gotou</u> September 7, 2006 |
| 住所 Machida-shi, Japan | Residence Machida-shi, Japan |
| 国籍 Japan | Citizenship Japan |
| 郵便の宛先 B-103, 2-3-2, Minaminaruse Machida-shi, Tokyo 194-0045 JAPAN | Post Office Address B-103, 2-3-2, Minaminaruse Machida-shi, Tokyo 194-0045 JAPAN |

| | |
|---|---|
| Keiichi Matsuura | Full name of fifth joint inventor, if any Keiichi Matsuura |
| 発明者の署名 日付 | Inventor's signature Date <u>Keiichi Matsuura</u> September 7, 2006 |
| 住所 Mitaka-shi, Japan | Residence Mitaka-shi, Japan |
| 国籍 Japan | Citizenship Japan |
| 郵便の宛先 207, 3-41-11, Shimorenjaku Mitaka-shi, Tokyo 181-0013 JAPAN | Post Office Address 207, 3-41-11, Shimorenjaku Mitaka-shi, Tokyo 181-0013 JAPAN |

RECORDATION FORM COVER SHEET

PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

Naoyuki Yamamoto (9/7/2006), Seiichi Mizuno (9/7/2006), Shingo Nishimura (deceased) (9/7/2006), Takanobu Gotou (9/7/2006), Keiichi Matsuura (9/7/2006)

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance/Execution Date(s):

Execution Date(s): in parentheses after inventor name

- Assignment Merger Change of Name
 Security Agreement Joint Research Agreement
 Government Interest Assignment
 Executive Order 9424, Confirmatory License
 Other _____

2. Name and address of receiving party(ies)

Name: CALPIS CO., LTD.

Internal Address:

Street Address:

4-1, Ebisu-Minami 2-chome

City: Shibuya-ku

State: Tokyo

Country: Japan Zip: 1500022

Additional name(s) & address(es) Yes No attached?

4. Application or patent number(s):

A. Patent Application No.(s)

10/566,057

This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address to whom correspondence concerning document should be mailed:

Name: S. Peter Ludwig
DARBY & DARBY P.C.

Internal Address: Atty. Dkt.: 04703/0203798-US0

Street Address: P.O. Box 5257

00000067 10566057

40.00 OP

City: New York

State: NY Zip: 10150-5257

Phone Number: (212) 527-7770

Fax Number: (212) 527-7701

Email Address: pludwig@darbylaw.com

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- Authorized to be charged by credit card
 Authorized to be charged to deposit account
 Enclosed
 None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number _____
Authorized User Name _____

9. Signature:



Signature

S. Peter Ludwig - 25,351

Name of Person Signing

September 12, 2006

Date

Total number of pages including cover sheet, attachments, and documents:

ASSIGNMENT

I, Naoyuki Yamamoto, a citizen of Japan, residing at 4-5-7-902, Sagamioono, Sagamihara-shi, Kanagawa, 228-0803, JAPAN; and

I, Seiichi Mizuno, a citizen of Japan, residing at A-104, 2-3-3, Minaminaruse, Machida-shi, Tokyo, 194-0045, JAPAN; and

I, Shingo Nishimura (deceased); and

I, Takanobu Gotou, a citizen of Japan, residing at B-103, 2-3-2, Minaminaruse, Machida-shi, Tokyo, 194-0045, JAPAN; and

I, Keiichi Matsuura, a citizen of Japan, residing at 207, 3-41-11, Shimorenjaku, Mitaka-shi, Tokyo, 181-0013, JAPAN; and

and each of us, if more than one person is identified above (hereinafter "ASSIGNOR") in consideration of the sum of Ten Dollars (\$10.00), or the equivalent thereof, and other good and valuable consideration, the sufficiency of which and receipt of which are hereby acknowledged, paid to ASSIGNOR by

CALPIS CO., LTD.

a Corporation organized under the laws of Japan, located at 4-1, Ebisu-Minami 2-chome, Shibuya-ku, Tokyo, 150-0022, JAPAN (hereinafter "ASSIGNEE"), do hereby sell and assign to said ASSIGNEE, its successors and assigns, the below indicated right, title, and interest, in and for the United States of America only in and to my Invention entitled:

**BIOLOGICALLY NON-DEGRADABLE PEPTIDE, ANGIOTENSIN CONVERTING
ENZYME INHIBITOR, DRUG AND FUNCTIONAL FOOD**

invented by me and described in the specification bearing the above Attorney Docket No. and title executed by me concurrently herewith; and International Patent Application No. PCT/JP2004/010929, filed on July 30, 2004, in the PCT and all patents, divisions, reissues, continuations and any extensions thereof and rights of priority therein, said interest being my

entire ownership interest in the same, to be held and enjoyed by said ASSIGNEE, its successors, assigns, or other legal representatives, to the full end of the term thereof, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not be made;

And for the consideration aforesaid, I hereby covenant and agree to and with said ASSIGNEE, its successors and assigns, that whenever ASSIGNEE, its counsel or representative, or the counsel or representative of its successors or assigns, shall advise that an amendment to, or a division of, or any other proceeding or action in connection with an application concerning said Invention, including interference proceedings, is lawful and desirable, or that a reissue or continuation or extension of such application or patent issuing therefrom is lawful and desirable, I will sign all papers and drawings, take all rightful oaths and affidavits, and do all acts necessary or required to be done for the procurement of all lawful rights associated with the Invention, or for the reissue or continuation or extension of the same, will do all acts necessary or required to secure in said ASSIGNEE, its successors or assigns, the title to and full benefit of all rights hereby assigned, without charge to said ASSIGNEE or its successors or assigns, but at its or their expense; and I hereby appoint every present or future officer of said ASSIGNEE as my agent to sign all such papers and to do all such necessary acts on my behalf, to the fullest extent permitted by law;

And I hereby authorize and request the Commissioner of Patents and Trademarks and any other granting authority to issue any Letters Patent resulting from said Invention and application(s) concerning same to said ASSIGNEE.

This assignment shall have an effective date corresponding to the last date of execution.

I declare under penalty of perjury under the laws of the United States of America, and under penalty of the laws of any other jurisdiction before which this document may be presented, that I have signed this document as my own free act and that all of the foregoing is true and correct.

Dated: September 7, 2006

Naoyuki Yamamoto
Naoyuki Yamamoto, Inventor

Dated: September 7, 2006

Seiichi Mizuno
Seiichi Mizuno, Inventor

Dated: September 7, 2006

Hideo Nishimura
Shingo Nishimura, Inventor (deceased)
by Hideo Nishimura
his legal heir/representative

Dated: September 7, 2006

Takanobu Gotou
Takanobu Gotou, Inventor

Dated: September 7, 2006

Keiichi Matsuura
Keiichi Matsuura, Inventor